

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of Verizon Communication Inc. ("Verizon") and MCI, Inc. ("MCI") to Transfer Control of MCI's California Utility Subsidiaries to Verizon, which Will Occur Indirectly as a Result of Verizon's Acquisition of MCI.

Application 05-04-020
(Filed April 21, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING NOTING
ON NOTICE OF INTENT BY THE UTILITY REFORM NETWORK**

This ruling addresses the Notice of Intent to Seek Compensation (NOI) of The Utility Reform Network (TURN).

Timeliness of Filing

Pub. Util. Code § 1804(a) (1) provides that an NOI must be filed within 30 days after the prehearing conference. A prehearing conference was held on June 21, 2005, and TURN filed this notice on July 21, 2005. In accordance with § 1804(a)(1), TURN's NOI is timely filed.

Qualification as a Customer

TURN is a non-profit consumer advocacy organization, and it has a long history of representing the interests of residential and small commercial customers of California's utility companies before this Commission. TURN's articles of incorporation specifically authorize its representation of the interests of residential customers. Pursuant to Pub. Util. Code § 1802(b) and Decision 98-04-059 (the latter issued in the Commission's intervenor compensation

proceeding, Rulemaking 97-01-009/Investigation 97-01-010), TURN has demonstrated that it meets the statutory definition of a customer authorized to claim compensation.

Representation of Underrepresented Interests

TURN states that it expects to be an active party in this proceeding. It has been actively involved in discovery, serving several sets of data requests on the Joint Applicants and participating in numerous meet-and-confer sessions. It states that while TURN and the Office of Ratepayer Advocates both represent ratepayer interests, TURN only represents the interests of residential and small commercial customers. TURN states that while other intervenors such as Latino Issues Forum and Greenlining Institute may be active parties, the various intervenor representatives will strive to represent distinct subsets of the broad range of consumer interests implicated in such a proceeding. TURN states that it will coordinate with ORA and other intervenors in order to avoid unnecessary duplication of effort.

Nature and Extent of Participation

To date, TURN has participated in the prehearing conference, obtained authority to intervene, and has participated in discovery. TURN is in the process of drafting intervenor testimony and expects to be an active participant in any evidentiary hearings that may be held.

Estimate of Compensation

Pursuant to § 1804(a)(2)(A)(ii), TURN submitted a breakdown of the total estimated compensation of \$225,000 that it expects to request, most of it in attorney fees and consultant fees. This ruling makes no affirmative findings regarding the reasonableness of the total or any component of the estimate.

Significant Financial Hardship

Pursuant to Pub. Util. Code § 1804(a)(2)(B), intervenors are required to demonstrate financial hardship in their request for a finding of eligibility or at the time they file a request for an award. TURN made its annual showing of financial hardship when it filed its Notice of Intent to File Compensation on May 20, 2005, in the SBC/AT&T merger proceeding, Application 05-02-027. That showing has been accepted by the Commission, and it is not necessary to repeat the showing here.

IT IS RULED that The Utility Reform Network is eligible to file for an award of intervenor compensation at the conclusion of this proceeding.

Dated August 12, 2005, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker

Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Noting on Notice of Intent by The Utility Reform Network on all parties of record in this proceeding or their attorneys of record.

Dated August 12, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.